

**CARPENTER HAZLEWOOD,
DELGADO & BOLEN, LLP**
Gregory A. Stein, NV Bar # 13592
1400 East Southern Avenue, Suite 400
Tempe, Arizona 85282
Telephone: (480) 427-2800
Facsimile: (480) 427-2801
minuteentries@carpenterhazlewood.com
greg.stein@carpenterhazlewood.com

MARQUIS AURBACH COFFING
Jack Chen Min Juan, NV Bar # 6367
Kathleen A. Wilde, NV Bar # 12522
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
jjuan@maclaw.com
kwilde@maclaw.com

VVENT.0001
Attorneys for Defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Kush, Inc., a Nevada corporation,

Plaintiff,

v.

Frank Van Vranken, an individual; DOES I-
X, inclusive, and ROE Corporations I-X,
inclusive,

Defendants.

Case No. 2:20-cv-00647-APG-NJK

**STIPULATED MOTION TO
EXTEND DEFENDANT'S
DEADLINE TO RESPOND TO
PLAINTIFF'S SECOND AMENDED
COMPLAINT (ECF NO. 58)**

(Assigned to the Honorable
Andrew P. Gordon)

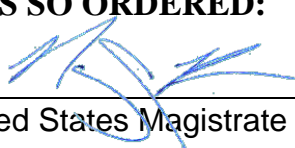
Defendant Frank Van Vranken, Sr. ("Defendant"), by and through undersigned counsel, and Plaintiff Kush, Inc. ("Plaintiff"), by and through undersigned counsel, hereby submit their stipulated motion to continue Defendant's deadline to respond to Plaintiff's Second Amended Complaint (ECF No. 58) from April 9, 2021 to April 30, 2021.

1 This request is submitted in good faith and not for the purpose of delay. Defendant
2 intends to file counterclaims in the coming weeks. If Defendant filed his Answer by the April
3 9, 2021 deadline, he would be entitled to amend it as a matter of course within 21 days
4 thereafter. *See* Fed. R. Civ. P. 15(a)(1)(A). Defendant has requested the additional time to
5 avoid filing an Answer on April 9, 2021, only to then file a First Amended Answer &
6 Counterclaim on April 30, 2021. Instead of filing his pleadings in a piecemeal fashion,
7 Defendant will just file a single Answer & Counterclaim no later than April 30, 2021.
8

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10 Furthermore, while settlement discussions broke down in mid-March 2021, the
11 parties have continued to discuss settlement and are hopeful that they can resolve this dispute
12 without proceeding to a trial on the merits. This case will be expensive to litigate if the parties
13 are unable to reach an amicable resolution. Extending this deadline and upcoming deadlines
14 for discovery and dispositive motions should afford the parties enough time to fully explore
15 settlement and—if possible—avoid significant litigation expenses.
16
17

18 The parties specifically stipulate that Defendant's deadline to respond to Plaintiff's
19 Second Amended Complaint (ECF No. 58) is extended from April 9, 2021 to April 30, 2021.
20 Defendant shall file any counterclaims in conjunction with his answer no later than April 30,
21 2021.
22

23
24 **IT IS SO ORDERED:**

25 
26 United States Magistrate Judge

27 DATED: April 12, 2021
28

1 RESPECTFULLY SUBMITTED this 9th day of April, 2021.

2
3 **CARPENTER, HAZLEWOOD, DELGADO & BOLEN, LLP**

4 By: 

5 Gregory A. Stein, Esq.
6 1400 East Southern Avenue, Suite 400
7 Tempe, Arizona 85282
8 *Attorneys for Defendant*

9 **MARQUIS AURBACH COFFING**

10 By: *Kathleen A. Wilde (with permission)*

11 Jack Chen Min Juan, Esq.
12 Kathleen A. Wilde, Esq.
13 10001 Park Run Drive
14 Las Vegas, Nevada 89145
15 *Attorneys for Defendant*

16 **HOGAN HULET PLLC**

17 By: *Ken Hogan (with permission)*

18 Kenneth Hogan, Esq.
19 Jeffrey Hulet, Esq.
20 1140 North Town Center Drive, Suite 300
21 Las Vegas, Nevada 89144
22 *Attorneys for Plaintiff*